

**CITY OF NEWBERG CITY COUNCIL MINUTES  
JULY 6, 2010  
7:00 P.M. MEETING  
PUBLIC SAFETY BUILDING TRAINING ROOM  
401 EAST THIRD STREET**

Work Session was held prior to the meeting. A discussion on the League of Oregon Cities (LOC) Legislative Agenda 2011. No decisions were made.

**I. CALL MEETING TO ORDER**

Mayor Bob Andrews called the meeting to order at 7:05 PM.

**II. ROLL CALL**

**Members**

Present:	Mayor Bob Andrews	Denise Bacon	Stephen McKinney
	Bart Rierson	Marc Shelton	Wade Witherspoon

**Staff**

Present:	Daniel Danicic, City Manager	Terrence Mahr, City Attorney
	Steve Olson, Associate Planner	Janelle Nordyke, Finance Director
	Dain Eichel, Acting Public Works Director	Norma I. Alley, City Recorder
		Jennifer Nelson, Recording Secretary

**III. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was performed.

**IV. OATH OF OFFICES**

The Oath of Office for Ryan Howard was performed.

**V. CITY MANAGER'S REPORT**

Mr. Daniel Danicic, City Manager, announced the League of Oregon Cities (LOC) 85<sup>th</sup> Annual Conference in September is now full and asked about those interested in attending; he said Tunes on Tuesday starts next week on July 13, 2010; and finally he will be on vacation and out of the office from July 7-21, 2010, so he will be missing the July 19, 2010, City Council meeting, but Mr. Mahr will be attending.

**VI. PUBLIC COMMENTS**

None.

**VII. CONSENT CALENDAR**

1. Consider a motion approving **Resolution No. 2010-2910** authorizing the acceptance of the canvass of votes for the May 18, 2010, Primary Election.
2. Consider a motion approving **Resolution No. 2010-2911** approving the annual evaluation of the City Attorney.

3. Consider a motion approving **Resolution No. 2010-2912** approving the revised City Attorney position description.
4. Consider a motion approving a **Proclamation** declaring July 22-25, 2010 as Old Fashioned Festival Week.
5. Consider a motion approve a **Sound Permit** for Parr Lumber Company and FFA Calf Roping, Horse Riding, Barbecue and Band event on July 10, 2010. Partial proceeds from the event will be donated to the "Ronald McDonald House".

**MOTION:** Shelton/Witherspoon approving the Consent Calendar including **Resolution No. 2010-2910** authorizing the acceptance of the canvass of votes for the May 18, 2010, Primary Election, **Resolution No. 2010-2911** approving the annual evaluation of the City Attorney, **Resolution No. 2010-2912** approving the revised City Attorney position description, a Proclamation declaring July 22-25, 2010 as Old Fashioned Festival Week, and a Sound Permit for Parr Lumber Company and FFA Calf Roping, Horse Riding, Barbecue and Band event on July 10, 2010 as amended. (7 Yes/0 No) Motion carried.

Mayor Andrews read the proclamation declaring the week of July 2-25, 2010, as Old Fashioned Festival Week and presented it to the Old Fashioned Festival Committee Chair. Ms. Becky Green, Human Resources Director, presented the Old Fashioned Festival Princess Court.

## VIII. NEW BUSINESS

1. Consider a motion approving **Resolution No. 2010-2905** adopting the revised Public Works Department Fee Schedule.

TIME – 7:16 PM

Mr. Danicic and Mr. Dain Eichel, Acting Public Works Director, presented the staff report (see official meeting packet for full report).

Councilor Marc Shelton asked what makes Newberg's process of composting so unique and if that's the reason they are not competing with other places for compost. Staff replied it is the level of dryness that makes the City's compost unique.

Councilor Bart Rierson said he was frustrated by the high cost; he liked the fact the City could dispose of their solid waste from the waste water treatment plant, but he was concerned that only running the saw dust dryer for 2.9 hours is approaching \$800,000.00. He does not wish to be in the business of selling compost, but he likes getting paid to get rid of solid waste. He will support the resolution, but felt it would be nicer to have the saw dust dryer cost less money and still run at capacity. Staff replied additional capacity costs is to cover population increases over a twenty year lifespan which will balance out down the road.

Councilor Ryan Howard asked what the effects would be to run at capacity, rather than just a couple of hours over the twenty year lifespan. Staff replied the design is to last twenty years running twenty-four hours a day, but part replacement costs would occur at about ten years, it really does not make a difference.

Discussions followed about the compost material itself being \$30.00 a yard which is currently selling for \$10.00 a yard. The staff proposed bumping the cost up to \$14.00 a yard to recover some costs; the income from composting from last fiscal year was \$43,120.00. Council spoke with staff about different rate alternatives for commercial vs. non-commercial buyers as well as a reduced rate for Newberg citizens. They also discussed various ways to track this difference, like checking driver's licenses or including vouchers in the utility bills; staff felt the additional duty would currently be an undue burden on the loader operator. Staff emphasized

citizens are already getting a break by recovering any costs on the compost because most cities have to pay to dispose of their solid waste; asking the loader operator to complete an additional task could result in additional costs for increasing employee hours. Vouchers in the utility bills would also be a problem for those citizens who do not receive their water bills.

Mr. Terry Mahr, City Attorney, warned the Council of a potential conflict of interest if they consider giving discounts to Newberg citizens because they could all benefit from the decreased rate and have a financial advantage.

Councilor Denise Bacon felt the City was fortunate to get paid to get rid of a product and she did not wish to further burden staff with different rates for citizens which would require proof of citizenship.

**MOTION: Bacon/Shelton** approving **Resolution No. 2010-2905** adopting the revised Public Works Department Fee Schedule as presented by staff. (6 Yes/1 No [McKinney]) Motion carried.

**MOTION: Rierson/** to include a coupon in the utility bill once per season for a discount. Motion failed for lack of a second.

2. Consider a motion adopting **Resolution No. 2010-2909** accepting the recommendation of the Electronic Sign Ad Hoc Committee and initiating a development code amendment regarding potential changes to the City's sign ordinance.

TIME – 8:10 PM

Mr. Steve Olson, Associate Planner, presented the staff report including a PowerPoint summary (see official meeting packet for full report).

Councilor Wade Witherspoon asked if there had been some type of impact assessment on the businesses themselves as requested previously. Staff stated the research was not included here but would be presented at the hearing; there were only a few general complaints, but mostly positive comments from people.

Councilor Rierson spoke of including some type of low interest loan fund for businesses to make sign upgrades, maybe through the community development block grant. Staff stated there are funds available in the community development fund, but the interest rate may be around 6%.

Mayor Andrews asked for some clarification of the term “lot” on pages 48-9. Staff replied it is a parcel of land with development, it may have multiple businesses. Mayor Andrews felt this should be more clearly defined in the document.

**MOTION: Shelton/Rierson** approving **Resolution No. 2010-2909** accepting the recommendation of the Electronic Sign Ad Hoc Committee and initiating a development code amendment as well as the non-code recommendations regarding potential changes to the City's sign ordinance.

Councilor Rierson stated he was only put off by the large sign in the presentation; he did not wish to see any large television sets advertising in Newberg, especially not in the downtown area. He hoped business owners would use restraint and he supports the resolution as it stands. He specifically cited a sign in town that is placed on an awning and his concern that the entire awning is considered for the size of the sign; he would like to find a way to work around this kind of issue in the current sign code.

Councilor Witherspoon said he supports the resolution but would like to see more hard data for impact on businesses if they are going to change the code; it is easier to answer questions from citizens if you have hard data to back it up.

Councilor McKinney said he approves of the actions taken to settle an uneven playing field for businesses within the code.

Councilor Ryan Howard said he was unsure of how he felt about the City encouraging electronic signs.

Mayor Andrews felt the committee came up with a decent product to forward on for further development.

**VOTE:** To approve **Resolution No. 2010-2909**. (7 Yes/0 No) Motion carried.

3. Consider a motion establishing the funding methodology for a Visitor Information Center.

This item has been pulled from the agenda to be discussed at the September 7, 2010 meeting.

## **IX. COUNCIL BUSINESS**

TIME – 8:50 PM

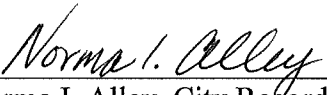
Mayor Andrews presented a draft letter in support of the Newberg-Dundee Bypass Tier 2 DEIS design options. Council discussed the content of the letter and requested changes to be made before they would sign it.

Mr. Mahr passed around a memo regarding the decision on the initiative law suit and discussed the court of appeals process. An executive session was scheduled to further discuss options and the involvement of the LOC.

## **X. ADJOURNMENT**

The meeting adjourned at 9:18 PM.

**ADOPTED** by the Newberg City Council this day 2<sup>nd</sup> of August, 2010.

  
Norma I. Alley, City Recorder

**ATTEST** by the Mayor this 5<sup>th</sup> day of August, 2010.

  
Bob Andrews, Mayor